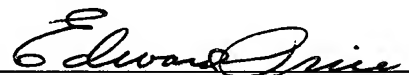


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Applicant: Michael WATERS)	<u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u>
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Application: PCT/US02/35665)	<u>EL 667 458 412 US</u>
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Filing Date: 07 November 2002)	
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**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED INTERNATIONAL
APPLICATION ELECTING THE UNITED STATES**

Sir:

Applicant hereby respectfully petitions the Commissioner under 37 C.F.R. § 1.137(b) to revive the above International Application, which became unintentionally abandoned as to the United States for failure to file the fees and documents required by 35 U.S.C. § 371(c) prior to expiration of the time set in 37 C.F.R. § 1.495(b).

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04 2012453 720-00 02

Michael WATERS
International Application PCT/US02/35665
PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE

The above-identified International Application No. PCT/US02/35665 was filed on November 7, 2002 (hereinafter "the PCT Application"). The PCT Application claimed priority from U.S. Application 10/145,595, filed May 14, 2002, and U.S. Application 10/006,919, filed November 7, 2001. The PCT Application designated the United States. Pursuant to 35 U.S.C. § 371, the payment of filing fees and completion of National Phase processing was due by May 7, 2004.

The entire delay in filing the required reply from the due date for the required reply, May 7, 2004, until the filing of the grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

This Petition includes:

1. the Petition Fee under 37 C.F.R. § 1.17(m) in the amount of \$750.00 (for small entity);
2. a Form PTO-1390, Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. § 371, including an authorization to charge our Deposit Account 06-1135 in the amount of \$300.00 (for small entity) in payment of the Basic Fee under 1.492(a), the Examination Fee under 1.492(c), the Search Fee under 1.492(b), and other fees set forth in the Form-1390;
3. an Information Disclosure Statement;
4. a Preliminary Amendment;
5. an Application Data Sheet under 37 C.F.R. § 1.76;
6. a copy of published PCT Application, International Publication Number WO 03/040808 A2;
7. a copy of the International Search Report; and
8. a copy of the International Preliminary Examination Report;

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any

Michael WATERS
International Application PCT/US02/35665
PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE

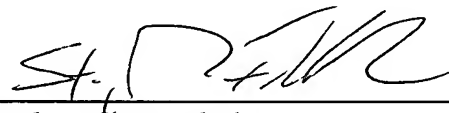
overpayment, to Deposit Account No. 06-1135. A duplicate copy of this Petition is enclosed.

Favorable consideration of this Petition to Revive is earnestly solicited.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Dated: March 15, 2006



Stephen S. Favakeh
Registration No. 36,798

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone (312) 577-7000
Facsimile (312) 577-7007
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